IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 5020 of 1999
with
CIVIL APPLICATION NO. 4669 OF 2003
IN
SPECIAL CIVIL APPLICATION No 5020 of 1999

For Approval and Signature:

Hon'ble MR.JUSTICE H.K.RATHOD

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

PAVANSINH KESHARSINH GOHIL

Versus

DISTRICT DEVELOPMENT OFFICER

Appearance:
1. Special Civil Application No. 5020 of 1999
MR SUBRAMANIAM IYER for Petitioner No. 1
MS AVANI S MEHTA for Petitioner No. 1
Ms. Archana Raval, AGP for Respondent No. 3/4.
MR PV HATHI for Respondent No. 1-2

CORAM : MR.JUSTICE H.K.RATHOD

Date of decision: 18/08/2003

ORAL JUDGEMENT

Heard learned advocate Mr. Iyer for the original petitioner, learned advocate Mr. P.V. Hathi for respondents no.1/2 and Ms. Archana Raval, learned AGP for respondents no.3/4. It was submitted by the learned advocate Mr. Iyer that the petitioner is having grievance about the non grant of certain benefits and for that, present petition has been filed by the petitioner. He also submits that the petitioner is prepared to make detailed representation in the subject matter of this petition before the respondents within fifteen days from today. He submits that some suitable directions may be issued to the respondents so that the respondents may consider and decide such representation of the petitioner within some reasonable period because the petitioner is retiring in February, 2003.

As against that, it was submitted by the learned advocate Mr. P.V. Hathi appearing for respondents no.1/2 and Ms. Archana Raval, learned AGP for respondents no.3/4 that if any such representation will be made by the petitioner before the concerned authority or the competent authority, then, same will certainly be considered and decided by the authority concerned in accordance with law within some reasonable period.

In view of these submissions made by the learned advocates for the parties, it is open for the petitioner to make detailed representation before the respondents within fifteen days from the date of receipt of copy of this order. As and when such representation made by the petitioner is received by the respondents, respondents are directed to consider and examine the grievance of the petitioner and decide the same in accordance with law within the period of two months from the date of receipt of such representation from the petitioner while keeping in view the fact that the petitioner is retiring in February, 2004. Respondents are also directed to communicate such order to the petitioner immediately.

With these observations and directions, this petition is disposed of without expressing any opinion on the merits of the matter and with a liberty in favour of the petitioner challenge the order that may be made by the respondents before the appropriate forum in accordance with law if such order or any part thereof is adverse to the petitioner. Rule is discharged. There shall be no order as to costs.

In view of the above orders made by this court in this petition, CIVIL APPLICATION NO. 4669 OF 2003 filed

by the petitioner in the main matter shall not survive. Same is, therefore, disposed of as not surviving with no order as to costs.

Dt. 18.8.2003. (H.K. Rathod,J.)

Vyas